

Notice of Allowability

Application No.

10/755,669

Examiner

Van T. Trieu

Applicant(s)

SACKL, RUDOLF

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 13 January 2004.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on 13 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance: there are no prior arts teaching or suggesting of an apparatus locating device, particularly for locating trapped victims under avalanches, under debris or under collapsed buildings, comprising: a receiving unit for signals from transmitters, preferably a transmitter connected to three preferably orthogonally arranged rod antennas, optical and/or acoustic display units, wherein all antennas (2, 3, 4) are placed in a compact housing together with the receiving unit and preferably also a transmitter whereby one antenna (4) is of shorter length than the other two antennas (2, 3).

A method for the operation of a locating device, particularly for locating trapped victims under avalanches, under debris or under collapsed buildings whereby incoming signals of one or several transmitters are monitored by a receiving unit, wherein all received incoming signals are registered over a predetermined period whereby discriminating characteristics of at least these incoming signals are registered and whereby the receiving unit can be tuned to one of these incoming signals with the aid of the characteristics.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Exkhard discloses use four antennas in order to pinpoint the exact position of the transmitter, especially at a close distance. The four antennas form two pairs of antennas placed at a specific angle to each other. [US 6,567,036]

Kampel discloses an improved rescue device for locating persons buried by avalanches operates in either a transmit mode or a receive mode. The transmitting antenna and receiving antenna are housing in a case, which includes a microprocessor, a selector switch, an audio element and a display element. [US 6,246,863]

Bork et al discloses a system and method for wirelessly communication between two devices allows to transfer of location information through a cellular or BLUETOOTH link antenna, a cellular radio antenna and a GPS antenna. [US 6,246,376].

Lemaitre et al disclose an electromagnetic method for detecting and/or locating a person comprising a transmitter antenna and a plurality of receiving antennas and a processor for locating avalanches victims. [US 6,031,482]

Leuenberger discloses a transponder for seeking out persons by means of a combined transmitter-receiver capable of transmitting a first frequency and receiving a second frequency, which is a harmonic of the first frequency. The length of receiving antenna is

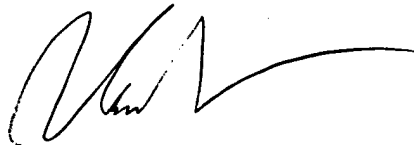
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chosen a value, which corresponds approximately to the half-wave length of the broadcast frequency, while the transmitting antennas have each a length approximately equal to a quarter wavelength. [US 4,656,478]

Clifford et al discloses an emergency signaling unit, which is designed to be carried on the person of a fireman or other worker to alert control personnel should the worker become endangered. [US 4,468,656]

3. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

Van Trieu
Primary Examiner
Date: 5/25/05